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Date:	Phone Number	Fax Number
April 10, 2006		
To:	(571) 273-8300	
From:		

Docket No.: NAIIP345/01.239.01

App. No: 10/068,280

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

Message:

Please deliver to Examiner Ha.

Thank you,

Kevin J. Zilka

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\*\*\*\*\*  
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NO. 2509 P. 2

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Practitioner's Docket No. NAI1P345

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark J. McArdle et al.

Application No.: 10/068,280

Group No.: 2135

Filed: February 4, 2002

Examiner: Ha, L.

For: INTRUSTION PREVENTION FOR ACTIVE NETWORKED APPLICATIONS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed November 15, 2005, for a second time rejecting claims 1-51.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

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CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

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\_ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

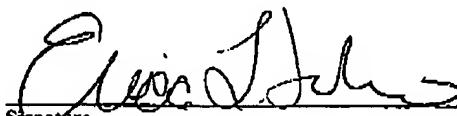
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Signature

Erica L. Farlow  
(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

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**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Other than a small entity	\$500.00
Notice of Appeal fee due	\$500.00

**3. EXTENSION OF TERM**

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee	\$450.00
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If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$500.00
Extension fee	\$450.00
<b>TOTAL FEE DUE</b>	<b>\$950.00</b>

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$950.00 to Deposit Account No. 50-1351 (Order No. NAIIP345).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NAIIP345).

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

Signature of Practitioner  
Kevin J. Zilka  
Zilkä-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Notice of Appeal from the Primary Examiner to Board--page 2 of 2